Serial No. 10/021,016
Reply to Office Action of January 4, 2005

REMARKS/ARGUMENTS

Claims 1-32 are pending in this application. As noted by the Examiner, claims 26-32 are renumbered from original claims 27-33. All pending claims are rejected. Claims 17 and 27-28 are cancelled. Claims 1, 10, 21, and 30-31 are amended.

The objection to the Oath/Declaration as not acknowledging the duty to disclose material information is respectfully traversed. The "Combined Declaration and Power of Attorney for Patent Application" filed on December 19, 2001 includes the following recitation: "We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a)." Copies of the Combined Declaration and Power of Attorney are attached, with the above recitation highlighted. If the above recitation is deemed not to be sufficient, Applicants respectfully request that the Examiner specifically point out any deficiencies and/or suggest appropriate alternative language for the Declaration.

Claims 30 and 31 have been amended only to correct an informality.

Claims 1-32 stand rejected under 35 USC 102(b) as being anticipated by Kapczynski et al, "Merisel Technical Deployment", Microsoft White Paper, August 1999. The rejection of claims 1, 10, and 21, as amended, is respectfully traversed.

Claims 1, 10, and 21 have been further amended to more properly claim the nature of the persistence of the application data. Claims 1, 10, and 21 have all been amended to recite that the "permanent and session application data [is] persistent within a single user session". No new matter has been added to claims 1, 10, and 21. Support for the amendments to claims 1, 10, and 21 is found, inter alia, in paragraphs [62] through [65] or the present specification. Notably, paragraph [62] recites that:

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Permanent and session application data is persistent across user request boundaries. Both types can be characterized by the same life span and isolation level – a single user session. Permanent data resides in an NTV tree .... Data placed in the NTV tree survives termination of the current servlet and is available in subsequent servlets of the same user session.

In contrast, Kapczynski teaches that "[application data] objects are kept stateless". (See page 45 thereof.)

Kapczynski does not teach the type of persistence claimed in claims 1, 10, and 21, and therefore these claims are deemed to be allowable under 35 USC 102(b) as containing at least one limitation not taught in the cited reference.
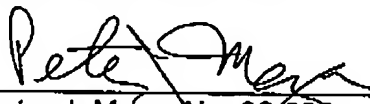
The remaining dependent claims are also deemed to be allowable under 35 USC 102(b) as depending from either independent claim 1, 10, or 21.

In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

3|16 , 2005

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